

Message Text

CONFIDENTIAL

PAGE 01 STATE 162645
ORIGIN ARA-14

INFO OCT-01 ISO-00 DHA-02 SP-02 IO-13 CIAE-00 DODE-00
PM-04 H-01 INR-07 L-03 NSAE-00 NSC-05 PA-01
PRS-01 SS-15 USIA-06 ORM-02 /077 R

DRAFTED BY ARA/CEN:DJOHNSON:CLD
APPROVED BY ARA/CEN:WMATTHEWS
D/HA:KHILL
RA:GLISTER
S/P:RFEINBERG
-----038267 131743Z /40
R 131541Z JUL 77
FM SECSTATE WASHDC
TO AMEMBASSY GUATEMALA

C O N F I D E N T I A L STATE 162645

E.O. 11652: GDS

TAGS: SHUM, GT

SUBJECT: DRAFT HUMAN RIGHTS EVALUATION REPORT PREPARED BY
ARA/CEN

POST COMMENTS AND SUGGESTED CHANGES ARE SOLICITED ON
FOLLOWING DRAFT. THIS DRAFT IS BEING SUPPLIED TO D/HA AND
S/P, BUT IS NOT YET CLEARED BY THOSE OFFICES.

BEGIN UNDERLINED: A. CONDITION OF HUMAN RIGHTS IN
GUATEMALA. END UNDERLINED

1. GUATEMALA HAS HISTORICALLY HAD A HIGH LEVEL OF VIOLENCE
(PERSONAL AND POLITICAL) AND SOCIAL INJUSTICE. POLITICS
IN GUATEMALA HAS TRADITIONALLY BEEN A HIGH-RISK PROFESSION,
PARTICULARLY FOR MEMBERS OF THE PROSCRIBED COMMUNIST
PARTY.

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 162645

2. DURING THE PERIOD OF 1966-1972, GUATEMALA WAS
PLUNGED INTO ONE OF ITS BLOODIEST INTERNAL CONFLICTS.
RURAL AND URBAN INSURGENTS BECAME A REAL THREAT TO THE
GOVERNMENT, AND AT ONE POINT HAD DE FACTO CONTROL OF
LARGE PORTIONS OF EASTERN GUATEMALA. THE GOVERNMENT WAS

SUBSTANTIALLY SUCCESSFUL IN SUPPRESSING THIS INSURGENCY, BUT ONLY BY EMPLOYING HARSHLY REPRESSIVE MEASURES, INCLUDING LARGE AMOUNTS OF EXTRALEGAL VIOLENCE.

3. THE INCUMBENT GOVERNMENT HAS, HOWEVER, TAKEN ACTIVE MEASURES TO RESTRAIN RIGHTIST GROUPS AND HAS NOT COUNTER-ANCED THE LEVEL OF INDISCRIMINATE POLITICAL VIOLENCE OF ITS PREDECESSOR. THE RECORD IS NOT UNBLEMISHED -- THERE ARE SOME INDICATIONS THAT THE PRESENT ADMINISTRATION ORDERED AT LEAST SEVERAL KILLINGS OF SUSPECTED TERRORISTS. IT ALSO USED HEAVY-HANDED TACTICS IN THE RURAL AREAS OF NORTHERN GUATEMALA IN 1976 IN AN EFFORT TO STAMP OUT A GUERRILLA MOVEMENT.

4. INSURGENCY REMAINS A CONTINUING PROBLEM DESPITE ALL THE GOVERNMENT'S EFFORTS, LEGAL AND EXTRALEGAL, TO STOP IT. SINCE LATE 1975, THE GUERRILLA ARMY OF THE POOR HAS BEEN THE GOVERNMENT'S MAJOR CONCERN. THE EGP HAS DEMONSTRATED A CAPABILITY TO STRIKE IN STRENGTH ALMOST ANYWHERE IN GUATEMALA AND HAS BEEN RESPONSIBLE FOR A SERIES OF DARING ATTACKS, INCLUDING ASSASSINATIONS, KIDNAPPINGS AND ATTEMPTS AT BOTH ON PROMINENT GOVERNMENT AND BUSINESS FIGURES.

5. THE CYCLICAL QUALITY OF GUATEMALAN POLITICAL VIOLENCE IS TRADITIONALLY KEYED TO THE PRESIDENTIAL ELECTORAL
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 162645

PERIOD. THERE ARE SIGNS THAT VIOLENCE, AFTER A PERIOD OF RELATIVE CALM, MAY BE ON THE UPSURGE AGAIN.

6. GUATEMALA HAS A GOOD HISTORY OF FREEDOM OF RELIGION, THOUGHT, MOVEMENT WITHIN THE COUNTRY (EXCEPT IN AREAS WHERE THE GOVERNMENT SUSPECTS GUERRILLA ACTIVITY), AND FREEDOM OF DISSIDENTS TO TRAVEL TO FOREIGN COUNTRIES AND TO EMIGRATE. THERE IS FREEDOM OF THE PRESS, AND THE NEWSPAPERS ARE FREE TO (AND DO) CRITICIZE GOVERNMENT OFFICIALS AND POLICIES. THERE IS FREEDOM OF ASSEMBLY FOR NONPOLITICAL PURPOSES, BUT LARGE POLITICAL DEMONSTRATIONS AND PARADES ARE SUBJECT TO REGULATIONS BY THE MINISTRY OF INTERIOR.

7. TWO OF GUATEMALA'S LAST THREE PRESIDENTIAL ELECTIONS HAVE BEEN HONEST. THE DISHONEST ONE (1974) ACCORDING TO MANY OBSERVERS WAS CHARACTERIZED BY MASSIVE FRAUD TO PREVENT THE ELECTION OF A CHRISTIAN DEMOCRATIC CANDIDATE. THE INCUMBENT PRESIDENT HAS PROMISED A FAIR ELECTION IN 1978, BUT IF THE "WRONG" CANDIDATE WINS, THERE WILL BE STRONG PRESSURES ON HIM TO OVERTURN THE RESULTS.

8. SOCIAL JUSTICE HAS BEEN A CONTINUING FAILURE OF ALL GUATEMALAN GOVERNMENTS IN THE LAST 20 YEARS. THE TAX SYSTEM IS REGRESSIVE, POORLY ENFORCED, AND THE RATES ARE AMONG THE LOWEST IN THE HEMISPHERE. PROXIMITY TO GUATEMALA CITY OR TO THE DEPARTMENTAL SEATS LARGELY DETERMINES THE DELIVERY OF SOCIAL SERVICES.

B. BEGIN UNDERLINED: ANALYSIS AND RECOMMENDATIONS. END UNDERLINED.

1. SINCE 1954, THE U.S. HAS BEEN ACTIVELY AND INTIMATELY INVOLVED WITH GUATEMALA. ALTHOUGH OUR RHETORIC AND OUR DEVELOPMENT ASSISTANCE HAVE CONSISTENTLY SOUGHT TO PROMOTE DEMOCRACY AND REFORM, IN MANY MINDS WE ARE STILL CONFIDENTIAL

CONFIDENTIAL

PAGE 04 STATE 162645

SEEN AS DEFENDING THE STATUS QUO AND PROPPING UP REPRESSIVE REGIMES. HOWEVER WELL-FOUNDED THIS PERCEPTION OF U.S. INFLUENCE AND LEVERAGE, IT IS NOW CLEAR THAT BOTH OUR INFLUENCE AND LEVERAGE ARE DECLINING

2. WE ARE NO LONGER WILLING TO INTERVENE CLANDESTINELY TO COMPEL ONE POLITICAL RESULT OVER ANOTHER. IN ADDITION, WE NO LONGER EXERCISE A VETO POWER OVER GUATEMALA'S MILITARY PURCHASES, AND, WITH THE RENUNCIATION BY GUATEMALA OF ALL U.S. MILITARY ASSISTANCE CONDITIONED ON THE REQUIREMENT OF A HUMAN RIGHTS REPORT, IN THE FUTURE WE WILL NOT BE TRAINING THE MAJORITY (OR EVEN ANY) OF GUATEMALA'S HIGH-RANKING OFFICERS.

3. IN SPITE OF THESE FACTS, WE ARE CONTINUING A CLOSE AND HIGH-LEVEL DIALOGUE WITH THE GUATEMALANS ON THE HUMAN RIGHTS ISSUE. OVER THE PAST SIX MONTHS THIS HAS INCLUDED SEVERAL DEMARCHES BY OUR AMBASSADOR, AND VISITS BY U.N. AMBASSADOR YOUNG, AND DEPUTY ASSISTANT SECRETARY LUERS. THESE ACTIONS REFLECT OUR PREFERENCE FOR QUIET DIPLOMACY AS THE MOST EFFECTIVE MEANS FOR GETTING OUR MESSAGE ACROSS WITHOUT FURTHER ERODING OUR ACCESS AND LIMITED INFLUENCE.

4. THOUGH WE HAVE GENERALIZED SECURITY INTERESTS IN CENTRAL AMERICA BASED ON OUR RIO TREATY COMMITMENTS, AND OUR NEED FOR SECURE FLANKS, WE CLAIM NO MAJOR STRATEGIC INTEREST IN GUATEMALA. WE BELIEVE, HOWEVER, THAT SOME ACCESS AND SOME INFLUENCE OVER GUATEMALAN ACTIONS IS DESIRABLE IF WE ARE TO CONTINUE OUR EFFORTS TO PROMOTE A PEACEFUL SETTLEMENT OF THE BELIZE DISPUTE. A CONFRONTATIONAL APPROACH TO HUMAN RIGHTS IS LIKELY TO UNDERCUT OUR EFFORTS TO AVOID ARMED CONFLICT OVER BELIZE AS WELL AS BEING INEFFECTIVE IN IMPROVING THE GUATEMALAN HUMAN RIGHTS
CONFIDENTIAL

CONFIDENTIAL

PAGE 05 STATE 162645

SITUATION.GIVEN GUATEMALAN PRIDE, AND PARTICULARLY THAT OF

PRESIDENT LAUGERUD, THERE IS SIGNIFICANT DANGER THAT A MORE PUBLIC EFFORT WOULD BE EXCEEDINGLY COUNTERPRODUCTIVE FOR BOTH OUR RELATIONS AND THE GUATEMALAN HUMAN RIGHTS ENVIRONMENT.

5. AS THE ELECTORAL PERIOD BEGINS, THE RADICAL LEFT HAS ALREADY INCREASED ITS RECENTLY MODEST LEVEL OF URBAN TERRORISM. AS A RESULT, THE FAR RIGHT HAS, ACCORDING TO INTELLIGENCE REPORTS, BROUGHT PRESSURE ON PRESIDENT LAUGERUD TO ENGAGE IN OR CONDONE EXTRA-LEGAL ACTION AGAINST ACTUAL OR SUSPECTED TERRORISTS. SO FAR LAUGERUD HAS RESISTED THE PRESSURE FROM THE RIGHT. WE BELIEVE THAT LAUGERUD'S EFFORT TO MAINTAIN A RELATIVELY MODERATE STANCE IS PREFERABLE TO INCREASED RIGHT-WING ACTION. A POLICY OF MORE EMPHATIC CRITICISM DIRECTED AGAINST GUATEMALA MIGHT WELL CUT INTO LAUGERUD'S MANEUVERING ROOM AND FORCE HIM TO MOVE FURTHER TO THE RIGHT. IF WE USE QUIET DIPLOMACY TO ENCOURAGE LAUGERUD'S EFFORTS TO ENSURE OBSERVANCE OF HUMAN RIGHTS AND A FAIR ELECTION IN 1978, WE MAKE IT EASIER FOR LAUGERUD TO RESPOND POSITIVELY AND IMPROVE THE CHANCES THAT HE WILL SUCCESSFULLY RESIST EFFORTS TO MOVE HIS GOVERNMENT FURTHER RIGHTWARD.

6. IF THE MARCH 1978 ELECTIONS ARE A FARCE OR THE GENERAL HUMAN RIGHTS SITUATION DEGENERATES SIGNIFICANTLY, WE HAVE AVAILABLE THE CLEAR OPTION OF TAKING MORE EMPHATIC ACTION. WE SHOULD CONSIDER STRATEGIES THAT WILL MAXIMIZE OUR INFLUENCE IN THE DIRECTION OF GUARANTEEING HONEST ELECTIONS SO AS TO AVOID HAVING TO EVENTUALLY EMPLOY NEGATIVE SANCTIONS SHOULD THE MARCH ELECTIONS BE RIGGED. THIS COULD INVOLVE THE IFI'S, EXIMBANK, AND THE INTER-AMERICAN HUMAN RIGHTS COMMISSION. THE GUATEMALANS ARE WELL AWARE OF OUR ACTION IN THE IDB IN HOLDING UP THE SAN LORENZO PROJECT SOUGHT BY EL SALVADOR, AND OUR DIALOGUE WITH THEM

CONFIDENTIAL

CONFIDENTIAL

PAGE 06 STATE 162645

SHOULD CONTINUE TO POINT OUT OUR BELIEF THAT WE CANNOT IGNORE THE ROLE THESE INSTITUTIONS SHOULD HAVE IN PROMOTING HUMAN RIGHTS, AS THEY WERE TOLD BY TREASURY SECRETARY BLUMENTHAL.

7. AS LONG AS THE GENERAL HUMAN RIGHTS SITUATION DOES NOT DETERIORATE, AND IF THE BELIZEAN SITUATION EASES SIGNIFI-

CANTLY, WE BELIEVE THAT IT WOULD BE USEFUL TO APPROVE AT LEAST SOME MILITARY SALES AND PRE-FY 78 FMS TO GUATEMALA. WE SHOULD DO THIS NOT WITH A VIEW TO RETURNING TO A MONOPOLY POSITION, BUT TO SHOW THAT WE DO VALUE A CONTINUING OFFICIAL RELATIONSHIP AND ARE NOT TRYING TO ISOLATE GUATEMALA.

8. WHATEVER APPROACH WE DECIDE TO TAKE, WE BELIEVE OUR INTENTIONS SHOULD BE DISCLOSED TO MEMBERS OF CONGRESS WHO HAVE A PARTICULAR INTEREST IN HUMAN RIGHTS. IF WE OPT FOR "QUIET DIPLOMACY", THEY SHOULD KNOW OUR REASONS FOR DOING SO. ON THE OTHER HAND, IF WE OPT FOR A MORE PUBLIC AND EMPHATIC APPROACH, WE SHOULD BE CERTAIN THEY KNOW THE POSSIBLE COSTS WHICH HAS BEEN WEIGHED. VANCE

CONFIDENTIAL

NNN

Message Attributes

Automatic DecapTIONing: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: HUMAN RIGHTS, REPORTS, POLITICAL REPRESSION, POLICIES, UNCONVENTIONAL WARFARE
Control Number: n/a
Copy: SINGLE
Sent Date: 13-Jul-1977 12:00:00 am
DecapTION Date: 01-Jan-1960 12:00:00 am
DecapTION Note:
Disposition Action: Released in Full
Disposition Approved on Date:
Disposition Case Number: 200603916
Disposition Comment: RECORDING OF CLASSIFICATION/RECLASSIFICATION ACTION IN SAS (STATE ARCHIVING SYSTEM) BY THE DESIGNATED AUTHORITY FOR THIS ACTION, WHO HAS APPROVED RECLASSIFICATION AND OR EXTENSION ACTION ON THIS DOCUMENT.
Disposition Date: 26-Mar-2008 12:00:00 am
Disposition Event:
Disposition History: Released in Full by ALAN FLANIGAN on 26-MAR-08 ;
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE162645
Document Source: CORE
Document Unique ID: 00
Drafter: DJOHNSON:CLD
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770249-0710
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770761/aaaacaxg.tel
Line Count: 238
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: f5e6576c-c288-dd11-92da-001cc4696bcc
Office: ORIGIN ARA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 16-Feb-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1874822
Secure: OPEN
Status: NATIVE
Subject: DRAFT HUMAN RIGHTS EVALUATION REPORT PREPARED BY ARA/CEN POST COMMENTS AND SUGGESTED CHANGES ARE SOLICITED
TAGS: SHUM, PINS, GT, US
To: GUATEMALA
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/f5e6576c-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

